

A RESOLUTION authorizing the City of Fort Wayne, by its Board of Public Works and Safety (the "City"), to enter into an Interlocal Cooperation Agreement with the Board of Commissioners of Allen County, Indiana (the "County") for funding of a water service extension to Fort Wayne Metals Research Products Corporation.

WHEREAS, it is desirous that the County of Allen, Indiana, and the City of Fort Wayne enter into an Interlocal Agreement allowed under I.C. 36-1-7 et seq. to facilitate the flow of funds for construction of a water extension to serve Fort Wayne Metals Research Products Corporation, a copy of which is attached hereto as Exhibit "A"; and,

WHEREAS, said Interlocal Agreement requires the approval of both the Common Council of the City and the Allen County Council; and,

WHEREAS, the City seeks to support the continued growth of the plant owned and operated by Fort Wayne Metals Research Products Corporation (the "Company") at 9609 Indianapolis Road, Pleasant Township, Allen County, Indiana; and,

WHEREAS, the Company has invested approximately \$1.5 million toward plant expansion and capital equipment acquisition during the past year, creating 26 new jobs; and,

WHEREAS, the company expects to create between 20 and 30 new jobs during the next year; and,

WHEREAS, the Company seeks the extension of City water service to its plant to provide adequate sprinklering capacity (the "Water Extension Project"); and,

WHEREAS, the Company has requested financial assistance from the State of Indiana, the County, and the City for the extension of City water service to its plant; and,

WHEREAS, the cost of the Water Extension Project is estimated at one hundred thousand dollars (\$100,000.00); and,



1           WHEREAS, the cost of the Water Extension Project is  
2 estimated to be divided in the following manner:

3           50% from the State of Indiana, through the Industrial  
4 Development Grant Fund, administered by the State's  
5 Department of Commerce;

6           10% from the County, through a grant from the County's  
7 Economic Development Fund;

8           10% from the City, through the provision of in-kind  
9 project engineering and administration services;

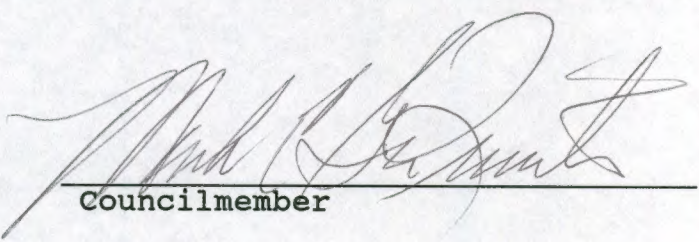
10          30% from the Company, through a loan in the amount of  
11 \$20,000.00 from the County's Economic Development  
12 Fund, and through other sources to be arranged by the  
13 Company; and,

14           WHEREAS, the City will be responsible for preparing the bid  
15 specifications and selecting the contractor(s) for the Water  
16 Extension Project;

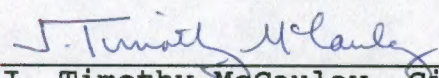
17           NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY  
18 OF FORT WAYNE, INDIANA:

19           SECTION 1. An Interlocal Cooperation Agreement by and  
20 between the County of Allen, Indiana, through its Board of  
21 Commissioners and the City of Fort Wayne, through its Board of  
22 Public Works and Safety, a draft of which is attached hereto and  
23 made a part hereof as Exhibit "A", is hereby authorized by the  
24 Common Council of the City of Fort Wayne for purposes of  
25 facilitating the flow of funds for the construction of a water  
26 service extension to serve Fort Wayne Metals Research Products  
27 Corporation.

28           SECTION 2. This Resolution shall be in full force and  
29 effect from and after its passage, and any and all necessary  
30 approval by the Mayor.

31  
32  
  
Councilmember

APPROVED AS TO FORM AND LEGALITY

  
J. Timothy McCaulay, City Attorney



**DRAFT**

INTERLOCAL AGREEMENT

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1992, by and between the BOARD OF COMMISSIONERS OF ALLEN COUNTY, INDIANA (hereinafter referred to as the "Board"), and the CITY OF FORT WAYNE, BOARD OF PUBLIC WORKS AND SAFETY (the "City").

WITNESSETH:

WHEREAS, the Board seeks to support the continued growth of the plant owned and operated by Fort Wayne Metals Corporation (the "Company") at 9609 Indianapolis Road, Pleasant Township, Allen County, Indiana; and,

WHEREAS, the Company has invested approximately \$1.5 million toward plant expansion and capital equipment acquisition during the past year, creating 26 new jobs; and,

WHEREAS, the Company expects to create between 20 and 30 new jobs during the next year; and,

WHEREAS, the Company seeks the extension of City of Fort Wayne water service to its plant (the "Water Extension Project"); and,

WHEREAS, the Company has requested financial assistance from the State of Indiana, Allen County, and the City of Fort Wayne for the extension of City of Fort Wayne water service to its plant; and,

WHEREAS, the cost of the Water Extension Project is estimated at one hundred thousand dollars (\$100,000.00); and,

WHEREAS, the cost of the Water Extension Project is estimated to be divided in the following manner: the State of Indiana, through the Industrial Development Grant Fund, administered by the State's Department of Commerce: 50%; the Board, through a grant from the Board's Economic Development Fund: 10%, the City, through the provision of in-kind project engineering and administration services: 10%; and the Company, through a loan in the amount of \$20,000.00 from the Board's Economic Development Fund, and through other sources to be arranged by the Company: 30%; and,

WHEREAS, the City will be responsible for preparing the bid specifications and selecting the contractor(s) for the Water Extension Project; and,

WHEREAS, the purpose of this Agreement is to facilitate the flow of funds to the City from the Board;

NOW, THEREFORE, it is agreed as follows:

1. The Board agrees, to the extent of the funds provided by the State and by the Board, through its Economic Development Fund, to pay claims submitted by the City for the above-referenced Water Extension Project to the Fort Wayne Metals plant. Said claims shall be verified and based upon actual expenses incurred by the contractor(s).

2. This Agreement shall be construed in accordance with I.C. 36-1-7 et seq., and the effectiveness is subject to all legal and necessary approvals as follows:

A. The Agreement shall be approved, by ordinance or resolution, by the fiscal bodies of Allen County, Indiana, and the City of Fort Wayne, Indiana.

B. The Agreement shall be recorded by the Allen County Recorder.

C. Within sixty (60) days of the effective date of this Agreement, a copy of same shall be filed with the State Board of Accounts for audit purposes.

3. The City does agree to comply with all terms and conditions of the Industrial Development Grant Fund Agreement (attached hereto and made a part hereof) entered into between the Board and the State of Indiana, as if said City was a party to said Agreement and acting in the stead of the Board.

4. The City further agrees to indemnify and hold harmless the Board from and against any and all liability for any acts or omissions in violation of said Agreement.

5. With the exception of the "hold harmless" clause found in the preceding paragraph, this Agreement and the responsibilities hereunder, shall terminate upon the close-out of the grant. Said close-out shall include the resolution of all

audit findings if any shall exist.

IN WITNESS THEREOF, this Agreement has been signed by the parties on the dates below indicated.

FORT WAYNE BOARD OF PUBLIC  
WORKS AND SAFETY

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

DATED: \_\_\_\_\_

ATTEST:

BY: \_\_\_\_\_

BOARD OF COMMISSIONERS OF THE  
COUNTY OF ALLEN, INDIANA

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

DATED: \_\_\_\_\_

ATTEST:

BY: \_\_\_\_\_  
Linda K. Bloom, Auditor,  
Allen County, Indiana



Read the first time in full and on motion by Schmidt, seconded by [Signature], and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday, the 28th, day of April, 19 92, at 7:00 o'clock PM, E.S.T.

DATED: 4-14-92

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Schmidt, seconded by [Signature], and duly adopted, placed on its passage.  
PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA				<u>✓</u>
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 4-28-92

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. B-19-92 on the 28th day of April, 19 92

ATTEST:  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

(SEAL)  
Thomas P. Henry  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of April, 19 92, at the hour of 1:30 o'clock PM, E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 1st day of May, 19 92, at the hour of 8:45 o'clock AM, E.S.T.

PAUL HELMKE  
PAUL HELMKE, MAYOR

DIGEST SHEETTITLE OF ORDINANCE INTERLOCAL AGREEMENT FOR FORT WAYNE METALS RESEARCH PRODUCTSDEPARTMENT REQUESTING ORDINANCE Department of Economic Development

SYNOPSIS OF ORDINANCE Resolution authorizing the Board of Works to enter into an  
Interlocal Cooperation Agreement with the Allen County Board of Commissioners. The  
Interlocal Agreement would enable the City to undertake a water extension project to  
service Fort Wayne Metals Research Products Corporation, enabling the company to  
continue to expand by providing water for purposes of sprinklering its Indianapolis  
Road facility.

*03-92-04-07*

The Board of Works would be able to execute an Interlocal Cooperation  
EFFECT OF PASSAGE Agreement with the Allen County Board of Commissioners. The Company  
would be able to expand and add 20 to 30 jobs.

The Board of Works would not be able to execute an Interlocal  
EFFECT OF NON-PASSAGE Cooperation Agreement with the Allen County Board of Commissioners  
Planned expansions of the company would be delayed.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) Approximately \$10,000 worth  
of in-kind engineering and administrative services. Remainder of \$100,000 project  
cost is to be borne by the State, County and Company.

ASSIGNED TO COMMITTEE (PRESIDENT) Cletus R. Edmonds (Regulation)





## MEMORANDUM

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R-92-04-07

TO: City Council Members

FROM: Trisha Gensic, Business Advocate *Trisha Gensic*

DATE: March 26, 1992

RE: Interlocal Cooperation Agreement Between City of Fort Wayne and Allen County Board of Commissioners for Water Service Extension to service Fort Wayne Metals Research Products Corporation

### Background:

Fort Wayne Metals Research Products Corporation is a locally owned manufacturer of fine wires used in surgical implants, catheterizations, and other medical applications. The company, established in Fort Wayne in 1970, has undergone significant employment growth, currently employing 85 persons full-time. In order to meet State Fire Codes and allow for additional expansions of the Fort Wayne Metals Research facility, the company must make arrangements to sprinker its facility. This requires the extension of City water service to the company's Indianapolis Road site at a cost estimated at \$100,000.00. The subject site is within the Baer Field Annexation area scheduled to become part of the municipal limits of the City of Fort Wayne on December 31, 1994.

The State of Indiana, through its Department of Commerce, has tentatively agreed to fund 50% of the projects costs pending the execution of an Interlocal Cooperation Agreement between the City and the County. The Allen County Commissioners have agreed to grant 10% of the project costs. The City is prepared to fund 10% of project costs though in-kind engineering and administrative services. The remaining 30% of project costs will be borne by the Company through private sources as well as a \$20,000 low-interest loan from the County.

### Reviewing Alternatives:

Authorization to allow the Interlocal Cooperation Agreement between the City and the County will enable Fort Wayne Metals Research Products Corporation to expand its Fort Wayne facility and add between 20 and 30 new permanent jobs.

Failure to authorize an Interlocal Cooperation Agreement will force the entire financial burden of the project on the company, postponing planned expansions.

### Recommendations:

It is the staff's recommendation that an Interlocal Cooperation Agreement between the Board of Works and the Allen County Board of Commissioners be authorized.



BILL NO. R-92-04-07

REPORT OF THE COMMITTEE ON FINANCE

MARK E. GiaQUINTA, CHAIRMAN  
CLETUS R. EDMONDS, VICE CHAIRMAN  
LUNSEY, LONG, RAVINE

WE, YOUR COMMITTEE ON FINANCE TO WHOM  
WAS REFERRED AN (~~ORDINANCE~~) (RESOLUTION) authorizing the City

of Fort Wayne, by its Board of Public Works and Safety (the  
"City"), to enter into an INterlocal Cooperation Agreement  
with the Board of Commissioners of Allen County, Indiana (the  
"County") for funding of a water service extension to Fort  
Wayne Metals Research Products Corporation

HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(~~ORDINANCE~~) (RESOLUTION) \_\_\_\_\_

DO PASS

DO NOT PASS

ABSTAIN

NO REC

C R Edmonds  
Mark E. GiaQuinta  
Cletus R. Edmonds  
Lunsey  
Long  
Ravine  
Sandra E. Kennedy

DATED: 4-28-92

Sandra E. Kennedy  
City Clerk